IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O. O. C. J.

CONTEMPT PETITION NO.92 OF 2007
IN
NOTICE OF MOTION NO.1018 OF 2006
WITH
SUIT NO.787 OF 2006

Mysore Sugandhi Dhoop Factory Pvt. Ltd. ...Petitioner.
Vs.
Satish Shashikant Mehta. ...Respondent.

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Mr. Pravin Samdani with Mr.Dushant Mehta i/b. M/s.Dhruve Liladhar & Co. for the Petitioner.
Mr. I. R. Ladiwala for the Respondent.

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CORAM :DR.D.Y.CHANDRACHUD, J.
November 19, 2007.

P.C.:

At the hearing of the Contempt Petition, Learned Advocate appearing on behalf of the Respondent states on instructions of the Respondent, who is personally present in the Court that in compliance with the order of this Court dated 31st March 2006, (i) the Respondent has not used the mark, “Garden of Mawah” in a font which is similar to the font of the Petitioner; and (ii) the mark “Garden of Mahek” (Exh.E to the Petition) does not belong to the Respondent nor has the

Respondent utilised the said mark at any time in the past either before or after the order of the Court dated 31st March 2006. With a view to establish the bona fides of the Respondent, the Respondent agrees to furnish to the Advocate for the Petitioner full inspection of the export transactions carried out by the Respondent after the order dated 31st March 2006 passed by the Court which shall include copies of the invoices and all supporting shipping documents. In view of the statement as aforesaid, Counsel appearing on behalf of the Petitioner does not press the Contempt Petition at this stage. Inspection to be furnished by the Advocate within a period of two weeks from today.

Counsel appearing for the Respondent undertakes to file Vakalatnama by tomorrow. The Contempt Petition is in the circumstances, disposed of at this stage since, having regard to the statement made on behalf of the Respondent, it is not necessary to pursue these proceedings in the exercise of the contempt jurisdiction any further.